

PTO/SB/21 (07-06)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/574,243

Filing Date

March 29, 2006

First Named Inventor

Tetsuya Tamura et al.

Art Unit

Unassigned

Examiner Name

Unassigned

Attorney Docket Number

075834.00568

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):Postcard, Power of Attorney, Response to  
Notice to File Missing Requirements under 35  
U.S.C. 371, Copy of Notification, check in the  
amount of \$130.00**Remarks**The Commissioner is hereby authorized to charge Deposit Account No. 50-3891 in the amount  
of \$130.00 or any amount necessary for this reply or to credit any overpayment to same**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Rockey, Depke, Lyons &amp; Kitzinger, LLC

Signature

Printed name

Robert J. Depke

Date

11/14/05

Reg. No.

37,607

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
the date shown below:

Signature

Typed or printed name

Robert J. Depke

Date

11/14/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAIL STOP PCT  
IN THE UNITED STATES ELECTED OFFICE  
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER THE PATENT COOPERATION TREATY

**RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

APPLICATION No.: 10/574,243  
APPLICANT(S): Tetsuya Tamura et al.  
ATTORNEY DOCKET NO.: 075834.00568  
INTERNATIONAL APPLICATION NO.: PCT/JP04/014806  
INTERNATIONAL FILING DATE: September 30, 2004  
INVENTION: **RECORDING AND REPRODUCING APPARATUS  
AND RECORDING METHOD**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed October 10, 2006, Applicant submits an executed Declaration and Power of Attorney as required in the Notice, along with a check in the amount of \$130.00, for payment of the surcharge for providing the declaration later than the statutory 30 months from the priority date. A copy of the notice is submitted herewith.

12/07/2006 LLANDGRA 00000040 10574243

01 FC:1617

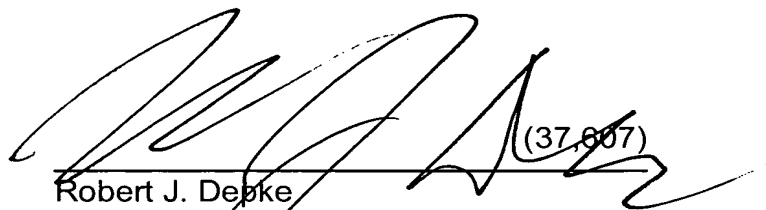
130.00 0P

Appl. No. 10/574,243  
Reply to 35 U.S.C. 371 Formalities  
Atty Docket No. 075834.00568

In addition, the Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 50-3891.

Date: 11/14/06

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'R. Depke', is written over a horizontal line. To the right of the signature, the number '(37,807)' is handwritten in parentheses.

Robert J. Depke  
ROCKEY, DEPKE, LYONS &  
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233 S. Wacker Drive, Suite 5450  
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Tel: (312) 277-2006  
**Attorney for Applicants**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,243	Tetsuya Tamura	07583400568

INTERNATIONAL APPLICATION NO.
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PCT/JP04/14806

I.A. FILING DATE	PRIORITY DATE
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09/30/2004

10/02/2003

33448

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CHICAGO, IL 60606-6306

CONFIRMATION NO. 5906

371 FORMALITIES LETTER



\*OC000000020745967\*

Date Mailed: 10/10/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/29/2006
- English Translation of the IA filed on 03/29/2006
- Copy of the International Search Report filed on 03/29/2006
- Copy of Article 19 Amendments filed on 03/29/2006
- English Translation of Article 19 Amendments filed on 03/29/2006
- Preliminary Amendments filed on 03/29/2006
- Information Disclosure Statements filed on 03/29/2006
- Oath or Declaration filed on 03/29/2006
- Request for Immediate Examination filed on 03/29/2006
- U.S. Basic National Fees filed on 03/29/2006
- Priority Documents filed on 03/29/2006
- Specification filed on 03/29/2006
- Claims filed on 03/29/2006
- Abstracts filed on 03/29/2006
- Drawings filed on 03/29/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,243	PCT/JP04/14806	07583400568